

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

Allen Payette,

Plaintiff,

vs.

Case No 07-cv-242-bbc

Bob Dickman,
and Seth Wiskow,

Defendants.

**ORDER QUASHING TRIAL SUBPOENAS
OF DISMISSED DEFENDANTS**

The above matter having come before the Court on the motion of the previously dismissed defendants, Randy Hoenisch, William Beaudry, Debra Gleason, Cary Pellowski, Shelia Westcott, Michael Schaefer, and Dennis Rothering, to quash subpoenas issued to them by the plaintiff, Allen Payette, demanding their presence at the trial of this matter commencing on August 17, 2009; and the Court have considered the submissions and arguments on the motion and the entire Court file in this lawsuit, and the Court having determined: (1) that there is no basis for the dismissed defendants to be required to appear at trial in which they were not designated by any party as trial witnesses; and (2) that requiring the dismissed defendants to travel from Marathon County to Madison, Wisconsin would be an undue burden:

IT IS HEREBY ORDERED THAT:

- A. The motion to quash is granted; and
- B. The trial subpoenas issued by the plaintiff, Allen Payette, to Randy

Hoenisch, William Beaudry, Debra Gleason, Cary Pellowski, Shelia Westcott, Michael Schaefer, and Dennis Rothering, are quashed pursuant to Fed. R. Civ. P. 45(c)(3)(A).

C. Randy Hoenisch, William Beaudry, Debra Gleason, Cary Pellowski, Shelia Westcott, Michael Schaefer, and Dennis Rothering, do not have to appear at the United States District Court in Madison, Wisconsin for the trial in this matter commencing on August 17, 2009.

Entered this 13th day of August, 2009.

BY THE COURT:

Barbara B. Crabb
BARBARA B. CRABB
District Judge